

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
CORRECTIONS BILL)

A BILL FOR

1 An Act relating to persons on probation, parole, or work
2 release at the violator facility or a residential facility
3 operated by the judicial district department of correctional
4 services.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 904.207, Code 2016, is amended to read
2 as follows:

3 **904.207 Violator facility.**

4 The director ~~shall~~ may establish a violator facility as a
5 freestanding facility, or designate a portion of an existing
6 correctional facility for the purpose. A violator facility
7 is for the temporary confinement of offenders who have
8 violated conditions of release under work release or parole
9 as defined in section 906.1, or probation granted as a result
10 of suspension of a sentence to the custody of the director of
11 the department of corrections. ~~The~~ If a violator facility is
12 established, the director shall adopt rules pursuant to chapter
13 17A, subject to the approval of the board, to implement this
14 section.

15 Sec. 2. Section 905.11, Code 2016, is amended to read as
16 follows:

17 **905.11 Residential facility residency — minimum.**

18 A person who is serving a sentence under section 902.12, the
19 maximum term of which exceeds ten years, and who is released
20 on parole or work release shall reside in a residential
21 facility operated by the district department ~~for a period~~
22 ~~of not less than one year~~ until such time as the district
23 department recommends to the board of parole that the person
24 may be supervised in the community rather than in a residential
25 facility and the board of parole approves the recommendation.

26 **EXPLANATION**

27 The inclusion of this explanation does not constitute agreement with
28 the explanation's substance by the members of the general assembly.

29 This bill relates to the placement of persons on probation,
30 parole, or work release.

31 Current law requires the director of the department of
32 corrections to establish a violator facility for the temporary
33 confinement of persons who violate conditions of probation,
34 parole, or work release. The bill allows, but does not
35 require, the director of the department of corrections to

1 establish a violator facility for the temporary confinement of
2 such persons.

3 Current law also requires a person who is serving a 70
4 percent sentence in excess of 10 years, and who is released on
5 parole or work release, to reside in a residential facility
6 operated by a judicial district department of correctional
7 services for a period of not less than one year upon release.
8 The bill changes the one-year parole or work release residency
9 requirement that a person serving a 70 percent sentence in
10 excess of 10 years must reside in a residential facility, to
11 a requirement that the person must reside in a residential
12 facility until such time as the district department recommends
13 to the board of parole that the person may be supervised in the
14 community rather than in a residential facility and the board
15 approves such a recommendation.